IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY PETITION No. 86 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GAYATRI CORPORATION - Petitioner(s)
Versus
PARAG MILLS PRIVATE LIMITED - Respondent(s)

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Appearance :
MRS SWATI SOPARKAR for Petitioner(s) : 1,
MR HARSHIT S TOLIA for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 02/02/2007

ORAL JUDGMENT

1. Present Company Petition has been filed by the petitioner for an appropriate order of winding

up of the respondent company – M/s. Parag Mills Private Limited.

2. Earlier the present Company Petition was disposed of on the consent terms being arrived at between the petitioner and the respondent company, however, the respondent company has failed to honour its commitment as per the consent terms and therefore, pursuant to the order passed by this Court dated 19th January, 2007 passed in OJ MCA No. 2 of 2007, the order of disposal of Company Petition No. 86 of 2005 was recalled and Company Petition No. 86 of 2005 is restored and that is how the same is placed before this Court.

3. Shri Tolia, learned advocate appearing for the respondent company has submitted that he was initially appearing in this Company Petition before the disposal of the main Company Petition, however, thereafter, he has no further instructions.

4. It is required to be noted that by common judgment and order, today, this Court has allowed the Company Petition Nos.131 of 2006 to 134 of 2006 and 172 of 2006 and the respondent company is ordered to be wound up.

5. In view of the above, no further order is required to be passed in this Company Petition as the respondent company is already ordered to be wound up. Accordingly, this Company Petition is disposed of.

[M.R.Shah, J.]

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